

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

UNITED STATES OF AMERICA,

Criminal No. 05-311 (JRT/JJG)

Plaintiff,

v.

O R D E R

ROBERTO GAMA-NUNEZ,

Defendant.

John Docherty, Assistant United States Attorney, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota 55415, for plaintiff.

Andrea K. George, Assistant Federal Public Defender, 300 South Fourth Street, Suite 300, Minneapolis, Minnesota 55415, for defendant.

Based upon the Amended Report and Recommendation by United States Magistrate Judge Jeanne J. Graham dated November 22, 2005, all the files, records, and proceedings herein; and no objections having been filed to that Report and Recommendation;

IT IS HEREBY ORDERED:

Defendant's Motion to Suppress Evidence Obtained As A Result of Search and Seizure [Doc. No. 16] is **DENIED AS MOOT**; and

Defendant's Motion to Suppress Statement, Admissions and Answers [Doc. No. 17] is **DENIED**.

Dated: December 9, 2005
at Minneapolis, Minnesota

s/John R. Tunheim
JOHN R TUNHEIM
United States District Judge